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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/701,794	12/04/2000	Roberto Trinca	4227/MS/CS	8992

466 7590 04/16/2003

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ARLINGTON, VA 22202

EXAMINER

ENG, GEORGE

ART UNIT	PAPER NUMBER
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2643

DATE MAILED: 04/16/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

10

# Office Action Summary

Application No.

09/701,794

Applicant(s)

TRINCA, ROBERTO

Examiner

George Eng

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 04 December 2000.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-31 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Information Disclosure Statement***

1. The information disclosure statement (IDS) submitted on 12/4/2000 (paper no. 3) has been considered.

### ***Response to Preliminary Amendment***

2. This Office action is in response to preliminary amendment filed 12/4/2002 (paper no. 4).

### ***Specification***

3. This application does not contain an abstract of the disclosure as required by 37 CFR 1.72(b). An abstract on a separate sheet is required.
4. The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

### **Arrangement of the Specification**

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.
- (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
- (d) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC (See 37 CFR 1.52(e)(5) and MPEP 608.05. Computer program listings (37 CFR 1.96(c)), "Sequence Listings" (37 CFR 1.821(c)), and tables

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having more than 50 pages of text are permitted to be submitted on compact discs.) or

REFERENCE TO A "MICROFICHE APPENDIX" (See MPEP § 608.05(a). "Microfiche Appendices" were accepted by the Office until March 1, 2001.)

(e) BACKGROUND OF THE INVENTION.

(1) Field of the Invention.

(2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.

(f) BRIEF SUMMARY OF THE INVENTION.

(g) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).

(h) DETAILED DESCRIPTION OF THE INVENTION.

(i) CLAIM OR CLAIMS (commencing on a separate sheet).

(j) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).

(k) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence Listing" is not submitted as an electronic document on compact disc).

*Claim Rejections - 35 USC § 112*

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 1-31 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claims 1-31, the phrases "i.e.", "such as", "and so on", "e.g.", "similar function", "whatever distance", "whatever communication protocol", "whatever other type of audiovisual contribution", "whatever moment" and "whatever type", render the claim(s) indefinite because the claim(s) include(s) elements not actually disclosed, thereby rendering the scope of the claim(s) unascertainable. In addition, the phrases "in such a way", "in the same fashion", and "in the most suitable way" render the claim(s) indefinite because each phrase is not

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defined by the claim, and the specification does not provide a standard for ascertaining the requisite degree. Furthermore, the phrases "and/or", "and or", and "any", render the claim(s) indefinite because each phrase has an alternative meaning, which does not positively identify the claimed limitations.

### ***Claim Objections***

7. Claims 11 and 27 are objected to because of the following informalities: claim 11, line 2, "said remote locations" should be --said user-locations-- in order to unify the claimed limitation; and claim 27, line 4, "psrt" should be --part-- to be corrected. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

9. Claims 1-3, 6, 8-15 and 30-31 are rejected under 35 U.S.C. 102(b) as being anticipated by Hatanaka et al. (EP 0619679A hereinafter Hatanaka).

Regarding claim 1, Hatanaka discloses a process of using a multi-location control apparatus for carrying out and managing video conferencing among a plurality of user locations (i.e., A, B, C, D and E, figure 2) suitable to receive and transmit audio-video signals comprising the steps of link-up a direction room (20, figure 2) to a plurality of both remote and neighbor

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locations (i.e., A through E, figure 2) where a signal of the audio and video type is originated, conversion of the audiovisual signal from each location before its transfer from the place where it was generated to that where the direction room is located so as to make it suitable to the type of connection and transmission, re-conversion of the audiovisual signals which has been received into the audio video format before its arrival at the direction room, selection of the signal or signals to use and send away to each conferee by an input audio video mixer, i.e., a sound mixer (1104, figure 13), an image selecting unit (1105, figure 13) and an image combining unit (1106, figure 13), displaying background information, including titles, location name, and conference room name, addition of the contributions, and selection of the processed audiovisual signal and sending thereof to the remote locations according to the role (col. 1 lines 25 through col. 2 line 31, col. 6 lines 7-12, col. 11 line 16 through col. 16 line 2 and col. 20 line 40 through col. 23 line 41).

Regarding claim 2, Hatanaka discloses each conferee, i.e., each listeners, receiving audiovisual signal from the speaker and the speaker receiving a different audiovisual signal, which has been selected at the directional room (col. 23 line 33 through col. 24 line 21).

Regarding claim 3, Hatanaka teaches to select signals from the audiovisual signals that arrive from several locations, and to forward the selected signals to the output for subsequent delivering to the speaker (col. 22 line 32 through col. 23 line 12).

Regarding claim 6, Hatanaka discloses more than one user receiver the same audiovisual image (figure 2 and col. 2 lines 39-53).

Regarding claim 8, Hatanaka discloses a multi-location control apparatus for carrying out and managing video conferencing among a plurality of users at different location using a

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communication protocol comprising a plurality of remote and neighbor user locations (A through E, figure 2) of the interactive or multimedia type which are linked to a direction room (20, figure 2) which exchanges a signal of audiovisual type (col. 1 lines 25 through col. 2 line 31 and col. 11 line 16 through col. 16 line 2).

Regarding claim 9, Hatanaka discloses the signal containing a series of information relative to the conference and the speaker that are scheduled to talk as well as other auxiliary audiovisual information (col. 6 line 1 through col. 7 line 4).

Regarding claim 10, Hatanaka discloses each user location (120A through 120E, figure 3) comprising audiovisual input and output means so that signal transmission between the locations and the direction room via a communication line (col. 3 line 5 through col. 4 line 19).

Regarding claim 11, Hatanaka discloses each user location are equipped with conversion devices so that the signal is being sent to the direction room using suitable communication protocol according to the type of link (col. 3 line 21 through col. 4 line 7).

Regarding claim 12, Hatanaka discloses the direction room simultaneous receiving the respective signals coming from all the users linked-up to the videoconference, transforming them into audiovisual signals, and said signal then channeling into audio video mixer that makes it possible to send just the signals coming from the speaker or speakers to the video mixer (col. 11 line 46 through col. 13 line 35).

Regarding claims 13-15, Hatanaka discloses to add to or to superimpose onto the videoconference signal (col. 6 lines 1-12) including providing for the visualization of the name of the speaker, the carrying out of image superimpositions, and the use of special effects by video mixer (col. 12 lines 27-44).

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Regarding claim 30, Hatanaka discloses each location comprising a camera and a microphone (figure 3).

Regarding claim 31, Hatanaka discloses connections between each location and the multi-location control apparatus being managed by the normal known link up procedures (col. 21 lines 47-51).

***Claim Rejections - 35 USC § 103***

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claims 4-5 and 16-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hatanaka et al. (EP 0619679A hereinafter Hatanaka) in view of Champa (WO 98/23075).

Regarding claims 4-5 and 16-18, Hatanaka differs from the claimed invention in not specifically teaching to show a graph on a speaker's screen, to display the graph as a superimposition or within a selection of the image of the speaker at receiving locations, to carry out a simultaneous translation into the language required by the receiving locations, and to ensure a total compatibility between different video communication systems. However, Champa teaches a hub for multimedia multipoint video conferencing including a plurality of signal processing functions in order to provide a desired level of access and interoperability, wherein the plurality of signal processing functions include video, data, graphics, communication



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protocol, format conversion, and language translation (abstract, page 3 lines 12-25 and page 6 line 11 through page 12 line 16). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Hatanaka in having the plurality of signal processing functions, as per teaching by Champa, because it enhances the multi-location control apparatus to provide a desired level of access and interoperability.

12. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hatanaka et al. (EP 0619679A hereinafter Hatanaka) in view of Bruno et al. (US PAT. 5,710,591 hereinafter Bruno).

Regarding claim 7, Hatanaka differs from the claimed invention in not specifically teaching to record audio video signal for the purpose of archive by a suitable video tape recorder. However, Bruno teaches to record and index information exchanged during a multimedia conference comprising a computer functioned as a video tape recorder for recording video, audio and data information that is exchanged during a particular multimedia conference in order to enhance the conference control unit for subsequent retrieval and processing (abstract, col. 3 lines 19-40 and col. 4 line 44 through col. 5 line 40). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Hatanaka in recording audio video signal for the purpose of archive, as per teaching of Bruno, because it enhances the conference control unit in provide subsequent retrieval and processing.

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13. Claims 19-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hatanaka et al. (EP 0619679A hereinafter Hatanaka) in view of Champa (WO 98/23075) as applied in claim 18 above, and further in view of Bruno et al. (US PAT. 5,710,591 hereinafter Bruno).

Regarding claim 19, the combination of Hatanaka and Champa differs from the claimed invention in not specifically teaching to record the videoconference by a video tape recorder. However, Bruno teaches to record and index information exchanged during a multimedia conference comprising a computer functioned as a video tape recorder for recording video, audio and data information that is exchanged during a particular multimedia conference in order to enhance the conference control unit for subsequent retrieval and processing (abstract, col. 3 lines 19-40 and col. 4 line 44 through col. 5 line 40). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the combination of Hatanaka and Champa in recording the videoconference, as per teaching of Bruno, because it enhances the conference control unit in provide subsequent retrieval and processing.

Regarding claim 20, Hatanaka teaches to replace the audio video signal with a desired audio video signal (col. 13 lines 2-18).

Regarding claim 21, Champa teaches to provide signal processing functions including format conversion (abstract) so that it recognizes the hub is capable of transforming incoming signals into a particular format before their utilization.

Regarding claims 22-23, Hatanaka teaches to each locations receiving audiovisual signal selected by the multi-location control apparatus, which the selection of the signal sent to a speaker is obtained by a video matrix and a cyclical visualization device for simultaneously combining more than one audiovisual sources (col. 20 line 40 through col. 21 line 42).

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Regarding claims 24-25, Hatanaka teaches to select who is scheduled to talk and keeping the audio channel active of all conferee (col. 1 line 25 through col. 2 line 31).

Regarding claim 26, Champa teaches to link up between the hub and a wide area network, i.e., Internet Provider (figure 2 and page 6 lines 11-24).

Regarding claims 27-28, Hatanaka discloses each conferee capable of performing communications with each other and visualizing on a monitor so that each new conferee is capable of getting to take part in the video conference as the other conferees who are already connected (col. 1 line 25 through col. 2 line 31 and col. 23 line 53 through col.25 line 2).

Regarding claim 29, Champa teaches to provide a wide area network connection, i.e., Internet connection and to carry out the transmission and the data file exchange in different type, which is compatible with different systems (abstract and page 6 lines 11-24).

### ***Conclusion***

14. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington D.C. 20231

Or faxed to:

(703) 872-9314 (for Technology Center 2600 only)

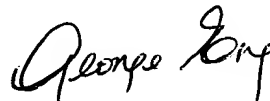
Hand delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, V.A., Sixth Floor (Receptionist).

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15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to George Eng whose telephone number is 703-308-9555. The examiner can normally be reached on Tuesday to Friday from 7:30 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis A. Kuntz, can be reached on (703) 305-4870. The fax phone number for the organization where this application or proceeding is assigned is 703-308-6306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.

A handwritten signature in black ink that reads "George Eng". The signature is written in a cursive, flowing style.

George Eng

Examiner

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